

Remarks

Initially filed were claims 1 to 20, which were canceled in a preliminary amendment in favor of claims 21 to 39. Based on the Supplemental Response "A" filed on 01 Oct. 2002, the status of the claims were: claims 21 to 78 were pending, of which claims 21, 40, 53, and 66 were independent. But due to a *sua sponte* constructive restriction in the Final Office Action dated 29 Oct. 2002, the Examiner withdrew claims 53 to 78 from consideration. In Amendment "C", the applicants canceled claims 53-78. After filing the Applicants' Appeal Brief on 25 April 2003 but before the Examiner filed his Examiner's Response, the Examiner reopened prosecution and issued an Office Action dated 09 July 2003, which rejected the remaining claims in view of newly cited prior art. In response thereto, the prior claims were then canceled in favor of the new claims added.

Then, in an Office Action dated 21 Jan. 2004, the Examiner issued a Final rejection of claims 79-81 and 83-87 over various prior art, and objected to claim 82, which would be allowable if rewritten in independent form. To this end, new claim 88 represents old claim 82 and intervening claims, which is now allowable.

Now claims 79-81 and 83-88 are pending, of which claim 88 is allowed. The independent claims are claims 79, 86, 87, and 88.

The examiner rejected claims 79-81 and 83-87 as being anticipated by Asano (5,116,426). That rejection is misplaced and the claims are allowable.

The claimed invention, demonstrated by independent claims 79, 86, and 87 each require that the working fluid be substantially inert and non reactive. On page 1, line 11 of the specification, it says that this working fluid is a non-solvent. From page 1 to page 3, the specification further describes cleaning agents and semiconductor cleaning agents that are different from what is now claimed. In short, when examining the independent claims, the working fluid is described and defined to be a fluid that essentially does not clean anything but rather provides the fluid medium to bring cleaning agents in contact with the fabrics. To this end, it is apparent that Asano '426 does not anticipate.

Asano '426 unequivocally describes that its fluid is a cleaning agent, such as a solvent. For example, Asano describes the prior art, to which his

invention is compared, "... is used as a cleaning agent" (col. 1, lines 15-16). Asano distinguishes his invention over other solvents not because his invention is not a solvent, but rather his invention is a different kind of solvent from the prior art.

Asano teaches that his fluid is a solvent. He says in col. 1, lines 40-44, "it is an object of the present invention to solve such problems and to provide a novel halogenated hydrocarbon *solvent* as a substitute for the convention *solvents*." (emphasis added). He then summarizes his invention in col. 1, lines 45-48 as being a solvent ("the present invention provides a halogenated hydrocarbon *solvent* consisting essentially of...". See also, col. 2, line 36 ("As a solvent ..."). At this point, it is patently clear that Asano's fluid is a solvent, which is precisely what the inert working fluid of the presently claimed invention is claimed not to be. To this end, this right away establishes the patentability of the claims.

Asano admits that his fluid is the precise agent that does the cleaning. Col. 2, lines 29-31 ("They are useful as various cleaning agents..." This is further demonstrated by the examples and the tabular results. For example, in Table 1, he shows that the sole ingredient applied to the fabric is his fluid, which satisfactorily cleans. In Table 2, his fluid is labeled as a "degreasing agent" and shows satisfactory degreasing. In Table 3, his fluid is labeled as a cleaning agent for removing a buffing agent. In Table 4, his fluid is a flux cleaner. In Table 6, it is described as a resist developing agent. In Table 7, it is a resist removing agent. In Table 8, it is unequivocally described as a solvent. Table 9 shows a tobacco extraction using this solvent and even shows it does a better job at extracting tobacco than methanol, water or hexane. The fluid is described in Table 10 to be a diluent. In short, Asano describes his fluid as being a quasi- "cure-all" that is an actual solvent, can act as a cleaning agent, act as a resist developing agent, etc. A purpose of the claimed invention is to not substantially clean the fabrics. Asano teaches that his solvent is the actual agent that cleans the fabrics.

Another purpose of the claimed invention is not to substantially react with the fabrics. Asano teaches that his solvent is to appreciably react with the fabrics, for example, to impart water repellency. Another purpose of the claimed invention is not to substantially swell fabric fibers. Another purpose of

the claimed invention is to be bulk carrier of the wash composition. Another purpose of the claimed invention is to be the vehicle for which the washing additives are brought to the fabrics so that the washing additives can act on the fabrics. That is, the ideal working fluid is a working fluid that ideally does substantially nothing. This is quite different from Asano, where the very crux of his fluid is to actively clean, remove, react, disperse, dissolve stuff, etc. See Asano '426, col. 2, lines 27-50. To this end, a person of ordinary skill in the art would not read the Asano '426 patent to teach a substantially non reactive, non aqueous, non oleophilic, and apolar working fluid as claimed because of these claimed features, Asano does not satisfy most, if not all of these.

With further reference to independent claims 86 and 87, the Asano reference does not anticipate for it fails to teach sub element (d), namely at least one second washing additive from the group of ozone; UV light absorber, and a deodorizer. Although the Examiner pointed out in paragraph 8 of the Office Action that there is a perfume taught, a perfume is not a deodorizer. The only mention of a deodorizer in the Asano reference relates to the Asano solvent being a deodorizer, not that the deodorizer is a second washing additive that is in a composition with the working fluid. Both claims 86 and 87 are not anticipated.


Conclusion

The applicants request withdrawal of the rejections and believe that the claims as presented represent allowable subject matter. But if the Examiner desires, the applicants are ready for an interview to expedite prosecution.

Respectfully submitted,

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